UNITED STATES DISTRICT COURT DISTRICT OF MINNESOTA

CAPITOL RECORDS INC.; SONY BMG MUSIC ENTERTAINMENT; ARISTA RECORDS LLC; INTERSCOPE RECORDS; WARNER BROS. RECORDS INC.; and UMG RECORDINGS INC.,

Plaintiffs,

v.

JAMMIE THOMAS,

Defendant.

Case No. 06-cv-1497 (MJD/RLE)

MOTION TO DISMISS FOR LACK OF SUBJECT MATTER JURISDICTION

TO: PLAINTIFFS ABOVE NAMED AND THEIR COUNSEL OF RECORD:

Defendant in the above captioned action respectfully moves this court for an order dismissing this matter in full for lack of subject-matter jurisdiction. This motion is based on the memorandum of law filed herewith, the pleadings and the record.

Dated: <u>June 10, 2009</u>

/s/ K.A.D. Camara

K.A.D. Camara Camara & Sibley LLP 2339 University Boulevard Houston, Texas 77005 713 893 7973 713-583-1131 (fax) camara@camarasibley.com

Garrett Blanchfield, #209855 Brant D. Penney, #0316878 Reinhardt, Wendorf & Blanchfield 332 Minnesota Street, Suite E-1250 St. Paul, Minnesota 55101 651-287-2100 651-287-2103 g,blanchfield@rwblawfirm.com

Attorneys for Defendant Jammie Thomas